

ATTACHMENT 2

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes the:
 - a. Partial conversion of a 12,680 sf agricultural barn into a 900 sf winery that will include a sf 440 tasting room.
 - b. Maximum wine production up to 1,000 cases per year;
 - c. Adjustment to the minimum 200 foot setback to the property line to allow the tasting room to be located 145 feet (east side property line).
2. This Minor Use Permit does not authorize any special events or Industry-wide events.

Conditions to be completed at the time of application for construction permits or prior to issuance of construction permits

Development

3. **At the time of application for construction permits**, submit a revised **site plan and floor plan** to the Department of Planning and Building for review and approval. The revised plan shall indicate the following and development shall be consistent with this revised and approved plan:
 - a. Site plan showing the tasting room and barrel storage in the horse barn;
 - b. New floor plan showing a 440 sf tasting room and 460 sf barrel storage room within the horse barn.

Permits

4. The applicant shall obtain the following permits if required, in addition to any and all other permits required by ordinance or code. Plans shall be prepared or certified by the licensed architect or engineer of record.
 - a. Permit to convert part of the existing barn into a commercial wine processing facility and public tasting room;
 - b. Permit for tenant improvements to convert the building into a winery.

Access

5. **At the time of application for construction permits**, the applicant shall submit plans prepared by a Registered Civil Engineer to the Department of Public Works to secure an Encroachment Permit and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plan is to include, as applicable:
 - a. Street plan and profile for widening Buckley Road to complete the project side of an A-1 rural road section with class 2 bike lanes and center left turn lane channelization in accordance with California Highway Design Manual, Chapter 400, fronting the property, and within necessary dedicated right-of-way easements.
 - b. Reconfigure the Buckley Road property frontage to limit access to 2 driveway B-1e approaches. All other existing access connections to Buckley Road shall be demolished, scarified, revegetated, fenced and the shoulder restored in accordance with county standards.
 - c. Drainage ditches, culverts, and other structures (if drainage calculations require).

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- d. Removal of all existing non-permitted obstructions from within the public right-of-way of the project frontage.
 - e. The applicant shall provide satisfactory evidence that the Army Corps of Engineers and the California Department of Fish and Game environmental permits have either been secured or that the regulatory agency has determined that their permit is not required.
6. **At the time of application for construction permits**, the applicant shall enter into an agreement and post a deposit with the county for the cost of checking the improvement plans and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
7. **At the time of application for construction permits**, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire standards and specifications back to the nearest public maintained roadway.
8. **Prior to occupancy or final inspection**, the applicant shall offer for dedication to the public the following easements by separate document:
- a. For future road improvement 41-foot wide road right-of-way along the project frontage of Buckley Road to be described as 41-feet from the recorded centerline, with additional 15 feet structure (no-build) setback, in accordance with the City of San Luis Obispo's Airport Area Specific Plan (Figure 6-7).

Fees

9. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities and road fees.
10. **At the time of application for construction permits**, and in order to mitigate offsite traffic impacts, fees shall be required for City of San Luis Obispo transportation Impact fees for various programs. These fees will need to be paid at time of building permit issuance but may also be paid prior to map recordation consistent with County policies. These fees should include:
- a. Citywide Transportation Impact Fee;
 - b. Airport Area Specific Plan Fee;
 - c. LOVR Interchange Mitigation Fee.

Fire Safety

11. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements (as listed in the Fire Safety Letter dated April 22 2016) and California Fire Code.

Exterior Lighting

12. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

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Environmental Health

13. Prior to issuance of a construction permit for the appropriate phase, the applicant shall obtain the appropriate Health Department permits. The Health Department will require at a minimum the following information:
- a. A Hazardous Materials Questionnaire.
 - b. Evidence that there is adequate water to serve the proposal, on the site.
 - c. The applicant shall submit a site plan showing the location of water wells and the distance from wastewater systems.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

Access

14. **Prior to occupancy or final inspection**, the **Buckley Road** all public improvements have been constructed or reconstructed in accordance with County Public Improvement Standards and to the satisfaction of the County Public Works Inspector.

Fire Safety

15. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CAL FIRE of all required fire/life safety measures.

Exterior Lighting

16. **Prior to occupancy or final inspection**, any lighting located or installed on the outside of the winery building shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Planning and Building Inspection

17. **Prior to occupancy of any structure**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

Time Limits

18. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued on Phase I or Phase II and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
19. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

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20. Any gate constructed on a driveway to the site shall be a minimum of 75-feet from the traveled way of any Collector or Arterial Road.
21. In accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; tree planting; fences; etc without a valid Encroachment Permit issued by the Department of Public Works.

Outdoor Storage

22. Long term outdoor winery storage areas shall be screened by solid fencing or landscaping and shall not be higher than the associated solid fence screening or landscaping, unless the storage area is not visible from any public road or adjacent properties.
23. Any water tanks associated with the project shall be a neutral, non-contrasting color, and landscape screening shall be provided so that the water tanks are not visible from any public road.

Wastewater

24. Liquid waste generated by the winery operations must be discharged to a waste water system designed by a civil engineer with expertise in the design of winery wastewater systems and approved by the County Building Official or Regional Water Quality Control Board (RWQCB). Such system shall not create offensive odors or materially impair the quality of groundwater for domestic or agricultural use. Prior to discharge of winery wastewater, the applicant shall obtain approval/permits from the Regional Water Quality Control Board. In no case shall winery wastewater be discharged into a stream or other surface water. Should the applicant in the future generate wine waste water, the applicant shall submit proof from RWQCB that they have obtained a permit waiver or a permit to process wine waste water on-site.